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Agenda items 2 and 3
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Note verbale dated 13 March 2014 from the Permanent Mission of the Republic of Singapore to the United Nations Office at Geneva and other international organizations in Switzerland addressed to the secretariat of the Human Rights Council

The Permanent Mission of the Republic of Singapore to the United Nations Office at Geneva and other international organizations in Switzerland presents its compliments to the secretariat of the Human Rights Council, and has the honour to refer to the attached joint statement, which was delivered on 5 March 2014, at the high-level panel discussion on the question of the death penalty, at the twenty-fifth session of the Human Rights Council (see annex).

The Mission has the further honour to request on behalf of the permanent missions of Bahrain, Bangladesh, Botswana, Brunei Darussalam, China, the Democratic People's Republic of Korea, Egypt, Eritrea, Ethiopia, India, the Islamic Republic of Iran, Kuwait, the Lao People's Democratic Republic, Malaysia, Myanmar, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, Somalia, the Sudan, Uganda, the United Arab Emirates, Viet Nam and Yemen that the joint statement* be circulated as a document of the twenty-fifth session of the Human Rights Council under agenda items 2 and 3.

* Reproduced as received, in the language of submission only.

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Annex

[English only]

Joint statement delivered at the high-level panel discussion on the question of death penalty on 5 March 2014, at the twenty-fifth session of the Human Rights Council

Mr President

I have the honour to deliver this statement on behalf of a group of 26 countries (as indicated at the end of the statement). As reflected by the vote on the Human Rights Council's Decision 22/117 to hold the high-level panel discussion on the Question of Death Penalty, the simplistic approach to characterise death penalty as a human rights issue in the context of the right to life of the convicted prisoner is deeply flawed and controversial. Death penalty is first and foremost an issue of the criminal justice system and an important deterring element vis-à-vis the most serious crimes. It must thus be viewed from a much broader perspective and weighed against the rights of the victims and the right of the community to live in peace and security. A constructive dialogue in the Council on this issue is possible only if the legitimate interests of all States are taken duly into account.

There is no international consensus for or against death penalty imposed according to the due process of the law. This has repeatedly been confirmed by the votes on past UNGA resolutions on the moratorium on the use of death penalty, most recently in the 67th session of the General Assembly.

The United Nations Charter clearly stipulates that nothing in the Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State. Every State has the inalienable right to choose its legal and criminal justice systems, without interference in any form by another State. Accordingly, the question of whether to retain or abolish death penalty and the types of crimes for which the death penalty is applied should be determined by each State. Key international instruments that apply to countries with wide divergence in cultures and values do not proscribe the use of death penalty in their texts. The issue of death penalty is a question that every State has the sovereign right, under international law, to decide, taking into account its own circumstances.

Thank you, Mr President.

List of co-sponsors

1. Kingdom of Bahrain
2. Republic of Botswana
3. Brunei Darussalam
4. People's Republic of China
5. Democratic People's Republic of Korea
6. Arab Republic of Egypt
7. Islamic Republic of Iran
8. Malaysia

9. Republic of the Union of Myanmar
10. Sultanate of Oman
11. State of Qatar
12. Kingdom of Saudi Arabia
13. Republic of Uganda
14. Republic of Yemen
15. Lao People's Democratic Republic
16. United Arab Emirates
17. India
18. Socialist Republic of Viet Nam
19. Republic of Singapore
20. State of Kuwait
21. People's Republic of Bangladesh
22. Eritrea
23. Federal Democratic Republic of Ethiopia
24. Islamic Republic of Pakistan
25. Federal Republic of Somalia
26. Republic of the Sudan